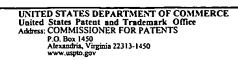




UNITED STATES PATENT AND TRADEMARK OFFICE



DATE MAILED: 04/05/2004

ATTORNEY DOCKET NO. CONFIRMATION NO. FILING DATE FIRST NAMED INVENTOR APPLICATION NO. 12/30/1999 PETER M. BONUTTI BON-4687 7407 09/476,156 04/05/2004 **EXAMINER** 7590 33771 PAUL D. BIANCO: FLEIT, KAIN, GIBBONS, CHANNAVAJJALA, SRIRAMA T GUTMAN, BONGINI, & BIANCO P.L. ART UNIT PAPER NUMBER 601 BRICKELL KEY DRIVE, SUITE 404 MIAMI, FL 33131 20 2177

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FORMAL MATTERS TO BE RESOLVED BEFORE PROCESSING "APPEAL BRIEF"

Examiner acknowleges applicant's APPEAL BRIEF filed on 3/25/2004, paper no. # 19. Upon review of application, Appeal Brief [page 26-28], Amendment filed on 03/31/2003, paper no. # 11 [page 8, second paragraph], Examiner found the following FORMAL MATTERS TO BE RESOLVED BEFORE PROCESSING "Appeal Brief".

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description of the specification. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

- 1. Applicant is required to amend specification at page 3, "Brief Description of Drawings" to include a brief description of Drawings fig 2-4, filed on 9/11/2003.
- 2. Applicant also required to amend specification to at page 3, "Description of one specific embodiment of invention" to incorporate fig 2-4, for example fig 2: labels S10,S12,S14,S16; fig 3: S20,S22,S23,S24,S26; Fig 4: S30,S32,S34,S36 respectively, in response to this office action, paper no.20.
- 3. Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(A)

No New Matter should be added

Srirama Channavajjala Primary Examiner Art Unit: 2177